(3) (5)

CF/002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (C) NO. 5686 OF 2006

PETITIONER : Satyaranjan Gain, aged about 35 years, Son of Shri Haridas Gain, Resident of Village P.V.-19, Village Panchayat Baikunthpur, Tahsil Pakhanjur, District North Bastar Kanker (C.G.).

P.R. No. 5691/06
Presented by Shri S.P.Sahu
dated 11/12/06

VERSUS

RESPONDENTS : 1. The Collector, District North Bastar Kanker (C.G.).

2. The Sub Divisional Officer (Revenue), Pakhanjur, District North Bastar Kanker (C.G.).

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3. The Chief Executive Officer, Janpad Panchayat Koylibeda, District North Bastar, Kanker (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER/ORDERS, DIRECTION/DIRECTIONS.

XI-HC-78

(97)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.-5686/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13.10.2006

Shri P.P. Sahu, Counsel for the petitioner.

Shri N.K. Agrawal, Dy. A.G. for the State

Arguments heard.

Order passed as follows :

ORAL ORDER
(13.10.2006)

The petitioner was an elected Sarpanch of Gram Panchayat – Baikunthpur, Janpad Panchayat – Koylibeda, District – North Baster Kanker (C.G). A proceeding under Section 40 of the M.P. (C.G.) Panchayat Raj Adhiniyam, 1993 was drawn against the petitioner by the specified officer, who, ultimately passed his order dated 4/8/2006 and directed for removal of the petitioner from the post of Sarpanch of the said Gram Panchayat. Against the aforesaid order passed by the specified officer, the petitioner filed an appeal before the Collector and he also prayed for grant of interim order during the pendency of the appeal. The Collector heard the matter on passing of interim order and ultimately, vide impugned order dated 13/9/2006, the application for grant of stay was dismissed and the matter was directed to be listed for final hearing. It is against this order; the petitioner has visited this Court under Article 226/227 of the Constitution of India.

In the facts and circumstances of this case, particularly, when the matter is ceased up before the Collector and it has been

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ....WP-5685/06..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश 2	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

directed to be listed for final hearing, I am not inclined to interfere in the said interim order passed by the Collector.

The petition has no merit and the same is dismissed. However, it is observed that if the appeal is still pending before the Collector, as far as possible, the Collector shall try to expedite the hearing of the appeal at the earliest.

In view of the above, M.(W.)P. No.4330/2006 for grant of ad-interim relief, I.A. No.10112/2006 for exemption from filing certified copy of the impugned order and I.A. No.10113/2006 for amendment of the cause title stand disposed of.

Sd/-
Sunil Kumar Sinha
Judge

shyna

P.T.O.

27.10.06
31.10.06